

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of	)	
	)	
Request for Review of the Decision of the	)	
Universal Service Administrator by	)	
	)	
Maine State Library	)	File Nos. SLD-293451
Augusta, Maine	)	
	)	
Federal-State Joint Board on	)	CC Docket No. 96-45
Universal Service	)	
	)	
Changes to the Board of Directors of the	)	CC Docket No. 97-21
National Exchange Carrier Association, Inc.	)	

**ORDER**

**Adopted: October 6, 2003****Released: October 7, 2003**

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. The Telecommunications Access Policy Division has under consideration a Request for Review filed by Maine State Library (Maine), Augusta, Maine.<sup>1</sup> Maine requests review of a decision by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).<sup>2</sup> For the reasons set forth below, we grant Maine's Request for Review and remand its application to SLD for further consideration.

2. SLD notified Maine that its Funding Year 2002 FCC Form 471 had been submitted after the filing window closed on January 17, 2002 at 11:59 p.m. Eastern Standard Time.<sup>3</sup> In its Request for Review, Maine argues that its Block 6 Certification and Item 21 documents were timely filed on January 17, 2002.<sup>4</sup> As evidence of its

---

<sup>1</sup> Letter from J. Gary Nichols, Maine State Library, to Federal Communications Commission, filed January 17, 2003 (Request for Review).

<sup>2</sup> *Id.*

<sup>3</sup> See Postcard from Schools and Libraries Division, Universal Service Administrative Company, to Edna Comstock, Maine State Library, dated November 22, 2002. See also SLD's website, What's New (November 2001) <<http://www.sl.universalservice.org/whatsnew/2001/112001.asp>>.

<sup>4</sup> Request for Review.

assertion, Maine attaches a copy of its Priority Overnight Receipt from FedEx, dated January 17, 2002.<sup>5</sup> Based on the underlying record, we conclude that Maine's application was postmarked by the filing window deadline.<sup>6</sup> We therefore grant Maine's Request for Review and remand Maine's application to SLD for further consideration.

3. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Request for Review filed by Maine State Library, Augusta, Maine on January 17, 2003 IS GRANTED, and Maine's application is REMANDED to SLD for further consideration in light of this decision.

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert  
Deputy Chief, Telecommunications Access Policy Division  
Wireline Competition Bureau

---

<sup>5</sup> Request for Review, Attachment.

<sup>6</sup> *Id.* See Instructions for Completing the Schools and Libraries Universal Service Services Ordered and Certification Form, OMB 3060-0806 (November 2001) (Form 471 Instructions) (FCC Forms 471 must be postmarked no later than the filing window deadline in order to be considered within the filing window).